

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:04cv494

JAMES R. HICKS,)	
Plaintiff,)	
)	
vs.)	
)	<u>ORDER</u>
ERIC POE, C-DOT MAINTENANCE,)	
and CITY OF CHARLOTTE,)	
Defendants.)	
_____)	

On November 1, 2005 the magistrate judge issued a Memorandum and Recommendation (Doc. No. 12) in the present case recommending that Defendant's motion to dismiss (Doc. No. 6) be granted and Plaintiff's complaint be dismissed with prejudice. The parties were advised that objections were to be filed in writing within ten days after service of the magistrate judge's decision. The deadline for filing objections has passed without either party filing specific objections in this matter.¹ After a careful review of the Memorandum and Recommendation, the Court finds that the magistrate judge's proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the magistrate judge's recommendations.

¹Even considering the latitude normally afforded pro-se plaintiffs, Plaintiff's "objections" (Doc. No. 13) to the magistrate judge's Memorandum and Recommendation fail to direct the Court to a specific error in the magistrate's proposed findings of fact, conclusions of law, or recommendations regarding Plaintiff's claims. See Howard v. Secretary of HHS, 932 F.2d 505, 509 (6th Cir. 1991) ("A general objection . . . has the same effect as would a failure to object. The district court's attention is not focused on any specific issues for review, thereby making the initial reference to the magistrate useless."); Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982) (De novo review is unnecessary "when a party makes general and conclusory objections that do not direct the court to a specific error in the magistrate's proposed findings and recommendations").

THEREFORE, IT IS HEREBY ORDERED that Defendants' Motion to Dismiss is
GRANTED and Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**.

Signed: April 18, 2006

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

